

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

06-CR-6105L

v.

CALVIN CAMPBELL,

Defendant.

Defendant, Calvin Campbell ("Campbell"), moves, *pro se*, (Dkt. #53), for an order reducing his sentence, presumably based on the Fair Sentencing Act of 2010, which became effective November 1, 2010. This Act affects, prospectively, prosecutions for cocaine base offenses. However, both the statute itself and the law in the Second Circuit is that the Act is not retroactive and, therefore, Campbell, who was sentenced over two years ago, in February 2008, is entitled to no relief under the new statute.

CONCLUSION

The motion (Dkt. #53) to reduce the sentence of Calvin Campbell is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
December 22, 2010.